

REMARKS

Reconsideration and allowance are respectfully requested. Claims 1-34, 37, and 38 are now pending. New claims 37 and 38 are added, and claims 35 and 36 are canceled only to avoid additional claim fees.

Claims 1-4, 6-10, 12-16, 18-21, and 23-36 are rejected under 35 U.S.C. § 103(a) as being anticipated by U.S. Patent Application Publication No. 2001/0000505 A1 to Segal et al. ("Segal") in view of U.S. Patent No. 5,638,421 to Serrano et al. ("Serrano"). Claims 5, 11, 17, and 22 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Segal in view of Serrano, and further in view of U.S. Patent No. 6,160,489 to Perry et al. ("Perry"). Applicant respectfully traverses all rejections.

Independent claim 1 is directed to a communication apparatus having a first portion, a second portion and a vibrator. The claimed apparatus has a first detector configured to detect an operation to at least partially separate the first portion from the second portion, and a second detector configured to detect a missed event in the apparatus. The claimed apparatus also has a controller coupled to the first and second detectors and configured to activate the vibrator responsive to the first detector detecting the operation if the second detector has detected the missed event. For example, the missed event may be a missed call (see, e.g., claim 2).

Segal discloses a portable cellular phone system including a portable flip-style cellular phone 34. (Segal, Figs. 1 and 7). As correctly indicated in the Office Action, phone 34 does not have the claimed second controller. Instead, the Office Action relies on Serrano.

However, like Segal, Serrano does not teach or suggest doing anything to indicate a missed event. Instead, Serrano discloses a device that may be added to a cellular phone that alerts a user to an *incoming* call. Serrano, col. 2, lines 12-13. Thus, the proposed modification of Segal with Serrano would, at best, result in a device that alerts the user to an incoming call, but to not a *missed* event such as a missed call.

The Office Action refers to col. 1, lines 24-60 of Serrano, which refers the problem of a missed call. However, this is merely background information that sometimes the incoming call alert of a conventional cellular phone is not sufficiently loud when the user is far away from the

cellular phone. In any event, this portion of Serrano simply does not teach, suggest, even imply any type of device that can alert a user to a missed call (as opposed to an incoming call that is presently occurring). Instead, Serrano solves this problem by adding an external device to a cellular phone that provides a perceptible incoming call alert. Serrano, col. 7, lines 38-41; col. 8, lines 10-12.

The Office Action also refers to col. 6, lines 18-64 of Serrano. This portion of Serrano describes Fig. 3, which shows a device having a vibrator 290 driven by a vibrator driver 280. In addition, vibrator driver 280 is coupled to a vibrator timer 260. As explained at col. 7, lines 1-27, timer 280 is used to reduce false alarms. For instance, vibrator driver 280 (which is simply referred to as “a timer circuit” in col. 7) checks whether an RF transmission as detected by RF detector 265 is long enough to be an actual transmission as opposed to a mere transient deviation. Col. 7, lines 20-27. This is further supported by Fig. 2, which shows that the vibrator is turned on in step 70 only if the transmitter is active for at least two seconds (step 55).

In any event, Serrano is directed only to alerting the user to currently *incoming* calls. *See, e.g.*, Serrano Abstract (“An apparatus and method for indicating an incoming call”, “An alarm, operative upon receipt of the alarm start signal, indicates an incoming call to a user”); col. 2, lines 12-13 (“provides the user with a choice of an audible or a silent alarm to indicate incoming calls”); col. 3, lines 41-44 (“An alarm circuit ... may be added for indicating an incoming call to a user”); col. 7, lines 38-41 (“An alarm circuit ... to provide a sensory signal for indicating an incoming call to the user”).

Moreover, neither Segal nor Serrano teach or suggest, either alone or in combination, a controller coupled to the first and second detectors and configured to activate the vibrator *responsive to the first detector detecting the operation* if the second detector has detected the missed event. Instead, both Segal and Serrano activate a vibrator only in response to an incoming call. Thus, the combination of these two references would still activate a vibrator only in response to an incoming call, *but not in response to detecting an operation* to at least partially separate the first portion from the second portion, as claimed. To the contrary, in both Segal and Serrano, the vibrator would be activated *before* the cellular phone is opened and the call is

answered.

For at least these reasons, it is submitted that claim 1 is patentable over Segal, Serrano, and the proposed combination of the two.

Independent claims 7, 13, 18, 23, 27, and 31 are also allowable over Segal for at least similar reasons as claim 1, and further in view of the differing features recited therein.

Dependent claims 2-6, 8-12, 19-22, 24-26, 28-30, 32-34, 37, and 38 are also allowable by virtue of their dependence from allowable independent claims, and further in view of the additional features recited therein. For example, both Segal and Serrano activate a vibrator only in response to an incoming call, whereas new claim 38 recites that, at the time that the controller activates the vibrator responsive to the first detector detecting the operation, there is no incoming call to the communication apparatus.

Also, as to the rejection of claims 5, 11, 17, and 22 over a proposed combination of Segal, Serrano, and Perry, Perry fails to overcome the above-discussed deficiencies of Segal and Serrano.

All rejections having been addressed, it is believed that the present application is in condition for immediate allowance. It is further believed that no fees are due in connection with this paper. Nonetheless, should any fees be due, please charge such fees to our Deposit Account No. 19-0733. Should the Examiner have any questions or believe an interview with Applicant's representative would be beneficial, the Examiner is invited to contact the undersigned at the number below.

Respectfully submitted,

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